

Entered - 05/30/03 - sb
CL03L0399 - DIANNE C. MITCHELL

CLAIM OF: **ALLSTATE INSURANCE COMPANY AS
SUBROGEE OF JOHN WALKER**
P. O. Box 168288
Irving, Texas 75016

04-*R*-1233

For damages alleged to have been sustained as a result of a vehicular accident on March 2, 2003 at 2442 Martin Luther King, Jr. Drive.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

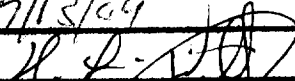
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ALLSTATE INSURANCE COMPANY AS SUBROGEE OF JOHN WALKER** the sum of \$5,907.30 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on March 2, 2004 at 2442 Martin Luther King, Jr. Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.






APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

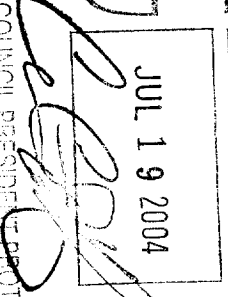
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

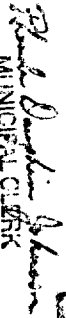
FAVORABLE REPORT

**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

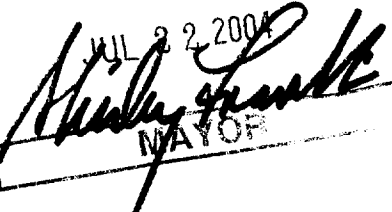
DATE: 7/13/04
CHAIR: 

CERTIFIED
JUL 19 2004

COUNCIL PRESIDENT PROTEM

CERTIFIED
JUL 19 2004

MUNICIPAL CLERK

ADOPTED BY
JUL 19 2004
COUNCIL

APPROVED
JUL 22 2004

MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1233

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Allstate Ins. Co. as subrogee of John Walker** in the sum of **\$5,907.30** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a vehicular accident on March 2, 2003 at 2442 Martin Luther King, Jr. Drive**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**JUL 19, 2004
JUL 22, 2004**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0399

Date: July 1, 2004

Claimant /Victim ALLSTATE INSURANCE COMPANY AS SUBROGEE OF JOHN WALKER
BY: (Atty)(Ins. Co.) _____
Address: P. O. Box 168288, Irving, Texas 75015
Subrogation: X Claim for Property damage \$ 5,907.30 Bodily Injury \$ _____
Date of Notice: 05/20/03 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/02/03 Place: 2442 Martin Luther King, Jr. Drive
Department Police Division: _____
Employee involved Austell Vickers Disciplinary Action: Defensive Driving Class

NATURE OF CLAIM: The driver of the City vehicle failed to exercise due regard while responding to an emergency call and struck the claimant's vehicle and causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures X Diagrams _____ Reports: Police X Dept Report X Other _____
Traffic citations issued: City Driver X Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

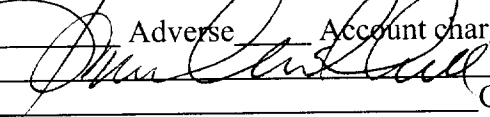
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 5,907.30 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager:  Concur/date 07/01/04
Committee Action: _____ Council Action _____

RCS# 5906
7/19/04
2:07 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-9, EXCEPT: 04-R-1241

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

| | | | | |
|-----------|-------------|----------|----------|------------|
| Y Smith | Y Winslow | Y Shook | Y Martin | Y Mitchell |
| Y Starnes | Y Archibong | Y Muller | Y Maddox | Y Norwood |
| Y Young | Y Fauver | Y Moore | B Mosley | Y Willis |

CONSENT I

| 7-19-04 Council Meeting | |
|---|--|
| ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 04-O-1154 2. 04-O-1156 3. 04-O-0765 4. 04-O-1249 5. 04-O-1263 6. 04-O-1034 7. 04-O-1265 8. 04-O-1266 9. 04-O-1264 10. 04-O-1151 11. 04-O-1262 12. 04-O-1157 13. 04-O-1269 14. 04-R-1044 15. 04-R-1049 16. 04-R-1219 17. 04-R-1290 18. 04-R-1210 19. 04-R-1289 20. 04-R-1215 21. 04-R-1216 22. 04-R-1217 23. 04-R-1218 24. 04-R-1232 25. 04-R-1233 26. 04-R-1234 27. 04-R-1235 28. 04-R-1236 29. 04-R-1237 30. 04-R-1238 31. 04-R-1239 32. 04-R-1240 | 33. 04-R-1222 34. 04-R-1223 35. 04-R-1224 36. 04-R-1225 37. 04-R-1226 38. 04-R-1227 39. 04-R-1228 40. 04-R-1229 41. 04-R-1230 42. 04-R-1231 |